

BY-LAW NO. 2013 -

A by-law of the City of Ottawa to provide for the construction and future maintenance of drainage works under the *Drainage Act* in the City of Ottawa to be known as the Stagecoach Road East and West Municipal Drains.

WHEREAS a Drainage Engineer, Stantec Consulting Ltd., was appointed on July 11, 2012 by the Council of the City of Ottawa in accordance with the provisions of Section 4 of the *Drainage Act*, R.S.O. 1990, c. D.17 (the "*Drainage Act*") to prepare an engineer's report for the area requiring drainage, being part of Lots 7, 8, 9 and 10, Concession 3, in the City of Ottawa, formerly the geographic Township of Osgoode;

AND WHEREAS the Council of the City of Ottawa has procured an Engineer's Report under Section 8 of the *Drainage Act*, R.S.O. 1990, c. D.17 and the report entitled "Engineer's Report for the Stagecoach Road East and West Municipal Drains", dated February 15, 2013, prepared by Stantec Consulting Ltd., (the "Engineer's Report") is attached hereto and marked as Schedule "A";

AND WHEREAS the Stagecoach Road East and West Municipal Drains Municipal Drain, after they are constructed in accordance with the Engineer's Report, will be located entirely within the City of Ottawa and pursuant to section 74 of the *Drainage Act* the City of Ottawa is responsible to attend to the required future maintenance and repair of both drains;

AND WHEREAS the estimated cost associated with the construction, engineering, contract administration, allowances, report and contingencies of the Stagecoach Road East and West Municipal Drains is \$202,492.55 as set out in Schedule "A" of the Engineer's Report;

AND WHEREAS \$3,961.41 is the estimated cost to be charged to the City of Ottawa for the construction of the drainage works in accordance with Schedule "B" Assessment Schedule Stage Coach Road West Municipal Drain and Schedule "C", Assessment Schedule Stage Coach Road East Municipal Drain of the Engineer's Report;

AND WHEREAS the remaining cost of the construction of the drainage works, estimated at \$198,531.13, is to be charged to the landowners in the area of the drainage works in accordance with Schedule "B" Assessment Schedule Stage Coach Road West Municipal Drain and Schedule "C", Assessment Schedule Stage Coach Road East Municipal Drain of the Engineer's Report;

AND WHEREAS Council of the City of Ottawa has considered the Engineer's Report in accordance with Section 42 of the *Drainage Act*, has made the decision to adopt the Engineer's Report and is therefore giving this by-law 1st and 2nd reading so that it is provisionally adopted under Section 45 of the *Drainage Act*;

THEREFORE the Council of the City of Ottawa enacts as follows:

1. The report entitled *Engineer's Report, Stagecoach Road East and West Municipal Drains*, dated February 15, 2013, attached hereto as Schedule "A", is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.

2. The Corporation of the City of Ottawa may borrow on the credit of the Corporation the amount of \$202,492.55 being the estimated cost of the construction of the drainage works.

3. The Corporation of the City of Ottawa may arrange for the issue of debentures on its behalf for the amount borrowed less the total amount of:

(a) grants received under Section 85 of the Act;

(b) commuted payments made in respect of lands and roads assessed within the municipality;

(c) money paid under Subsection 61(3) of the *Drainage Act*, and

(d) money assessed in and payable by another municipality,

and such debentures shall be made payable within ten (10) years from the date of the debenture and shall bear interest at a rate to be set by the City of Ottawa.

4. The sum of \$3,961.41 is the estimated cost to be charged to the City of Ottawa for construction of the drainage works in accordance with Schedule "B" Assessment Schedule Stage Coach Road West Municipal Drain and Schedule "C", Assessment Schedule Stage Coach Road East Municipal Drain, in the Stantec Consulting Ltd., Consulting Engineer's Report dated February 15, 2013.

5. The remaining estimated cost of the construction and future maintenance of the drainage works shall be charged to the landowners in the area of the drainage works in accordance with Schedule "B" Assessment Schedule Stage Coach Road West Municipal Drain and Schedule "C", Assessment Schedule Stage Coach Road East Municipal Drain, in the Stantec Consulting Ltd., Consulting Engineer's Report dated February 15, 2013.

6. All net assessments of \$1,000.00 or less are payable in the first year in which the assessment is imposed.

7. This by-law comes into force on the passing thereof and may be cited as the "Stagecoach Road East and West Road Municipal Drains By-law, 2013".

ENACTED AND PASSED this day of , 2013.

CITY CLERK

MAYOR

SCHEDULE "A"

Copy of *Engineer's Report for the Stagecoach Road East and West Municipal Drains*, dated February 15, 2013.

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1st Reading..... July 17, 2013
2nd Reading.....July 17, 2013
3rd Reading.....

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Enacted by City Council at its meeting of

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LEGAL SERVICES G04-01 STAG
CLC

COUNCIL AUTHORITY:
The *Drainage Act*, sections 4, 8, 42, 45, and 74
City Council May 23, 2012,
Agenda Item 9 (ARAC Report No. 19)
City Council July 11, 2012,
Revised Bulk Consent Agenda Item A (ARAC Report No. 21)
City Council July 17, 2013
Agenda Item____ (ARAC Report No. ____)